



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2401433
Applicant Name : Gregg Brant
Address of Proposal: 1748 12th Avenue S.

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel of land into four unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The existing single-family residence is to remain on unit lot A. The construction of townhouses was reviewed under Project #2304992.

The following approval is required:

Short Subdivision - To divide one parcel of land into two unit lots.
(Seattle Municipal Code Chapter 23.24)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Site Description

The site is developed with a single-family residence, which will remain and a detached garage which is to be demolished. The proposal site is approximately 5,998.5 square feet and is in a Multi-Family Lowrise Three (L-3) zone on the corner of 12th Avenue S. and S. Grand St. 12th

Avenue is a paved street with sidewalks, curbs or gutters on either side of the street. However, S. Grand St. is without sidewalks, curbs and gutters on both sides. S. Grand Street is a narrow paved roadway that runs along the approximately 120-foot depth of the subject lot. The site also abuts a 16-foot wide improved alley, which is used for vehicular access. Parking for unit lots A, B, C and D is provided on unit lot D by a parking easement.

Area Development

Zoning in the vicinity is mixed between multi-family and single-family, but is characterized largely by the Multi-Family Lowrise Three zone (L-3) encompassing the block in which the site is located. North and east of the block is zoned Multi-Family Lowrise Three (L-3). To the south of the block is an area zoned Single-family 5000 (SF 5000) and to the west along 11th Avenue S. is zoned Single-family (SF5000). South of S. Grand St. and to the southeasterly In combination, these areas are developed with single-family and multi-family structures.

Proposal Description

The applicant proposes to subdivide one parcel of land into four unit lots. Proposed unit lot sizes are: A) 3,094.7 square feet, B) 666.5 square feet, C) 667 square feet; and D) 1,570.2 square feet. Required vehicle access for the four unit lots is proposed off of the adjacent 16-foot wide alley. The required four surface parking spaces for the four unit lots will be provided on unit lot D by a parking easement/covenant.

Public Comments

One comment letter was received during the comment period that ended May 19th, 2004.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

1. Conformance to the applicable Land Use Code provisions;

The existing parent lot subject to this subdivision does not conform to all development standards of the L-3 zone, but is recognized as an existing legal nonconformity. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions. Any new development must conform to code requirements for the parent lot at the time of application.

2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;

Vehicular access to each of the four surface parking spaces on unit lot D will be off of the adjacent 16-foot wide alley. A parking covenant will be provided for parking on unit lot D for all four-unit lots. A four foot Pedestrian access and utility easement to the unit lots is proposed from the street and provided along the north property line of all four unit lots. In order to insure that the use and maintenance responsibilities associated with the common areas are clear, the applicant/responsible party will be required to record an easement maintenance agreement with the final short plat.

The Seattle Fire Department has reviewed the proposed lot configuration with regard to fire protection and emergency vehicle access and has no objection. No improvements were requested by the Fire Department.

Seattle City Light provides electrical service to the subject property and has indicated an overhead/underground easement to cover the east 18.07 feet of the property.

As conditioned, this short plat provides for adequate access for vehicles, utilities, and fire protection.

3. *Adequacy of water supply, sanitary sewage disposal, and drainage;*

Sanitary Sewer: The existing structure located upon proposed Unit Lot A is connected by means of a single side-sewer to an 8-inch public sanitary sewer (PSS) located in 12th Avenue S. This mainline was originally constructed as a combined sewer, and as such, there are likely to be downspouts and area drains still connected to what is now considered, for purposes of new construction, to be a sanitary sewer.

Drainage: As noted above, this area has been separated with the construction of a 18-inch public storm drain (PSD) on the near side of 12th Avenue S. This PSD discharges to a Designated Receiving Water.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, No. 2004-0467 on April 30th, 2004. All conditions on the certificate must be met prior to receiving water service.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*

The site is not mapped as a Seattle Environmentally Critical Area.

6. *Is designed to maximize the retention of existing trees;*

Not applicable, as the development of the subject site is permitted by approval of the associated building permit. No trees, are expected to be removed as a result of this short subdivision.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development standards.

However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS – UNIT LOT SUBDIVISION

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

3. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.
4. A street address sign, meeting the standards of the Seattle Building Code shall be erected to show addresses from 12th Avenue S., either by easement or covenant, for all individual units.

Signature: _____ (signature on file) Date: September 13, 2004
Joan S. Carson, Land Use Planner II
Department of Planning and Development
Land Use Services

JC:bg

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